

VZCZCXRO2251
PP RUEHBZ RUEH DU RUEHGI RUEHJO RUEHMR RUEHRN
DE RUEH KI #0757/01 2571337
ZNR UUUUU ZZH
P 131337Z SEP 08
FM AMEMBASSY KINSHASA
TO RUEHC/SECSTATE WASHDC PRIORITY 8422
INFO RUEHXR/RWANDA COLLECTIVE
RUCNSAD/SOUTHERN AF DEVELOPMENT COMMUNITY COLLECTIVE
RUEAIIA/CIA WASHDC
RHEFDIA/DIA WASHDC
RHMFISS/HQ USEUCOM VAIHINGEN GE
RUZEJAA/JAC MOLESWORTH RAF MOLESWORTH UK

UNCLAS SECTION 01 OF 02 KINSHASA 000757

SENSITIVE
SIPDIS

E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [MOPS](#) [KPKO](#) [PHUM](#) [PREF](#) [CG](#)

SUBJECT: Goma Report September 12:
Aftermath of CNDP Withdrawal Declaration

REF: KINSHASA 756

¶1. (SBU) Summary: On September 12 the MONUC military facilitated CNDP withdrawal from recently-occupied areas, giving CNDP an ultimatum of 12:00 September 13 to make a complete withdrawal. EU Special Envoy van de Geer will meet CNDP at Kimoka September 13. FARDC's willingness to make a reciprocal gesture (withdrawal from points occupied August 28-29 and PARECO's incursions) remains an open question. End Summary.

¶2. (SBU) The declaration by CNDP (reftel) on the evening of September 11 of a unilateral withdrawal from recently occupied areas ushered a much quieter day in North Kivu militarily than had been the case for the previous two weeks. The only exchange of fire noted by North Kivu brigade occurred in the hills above Kirotshe (south of Sake), which unfortunately coincided with the visit of Minister of Defense Chikez and the governor of North Kivu, who sought to make a road tour (to demonstrate government control over an area that had been briefly in CNDP hands). The governor stated publicly that the firing was an assassination attempt by CNDP and showed CNDP's bad faith, although the exchange of fire apparently occurred several kilometers from where the minister and governor were located.

¶3. (SBU) Deputy Chief of Staff Col. Cunliffe and his staff on September 12 gave a briefing to EU Special Envoy Roeland van de Geer (just arrived in Goma for a five-day visit) and the facilitation team. He said that the day opened with an order from Force Commander General Gaye to the North Kivu brigade to generate space and security for the withdrawal of CNDP forces. CNDP was to be given until 12:00 September 13 to make a complete withdrawal from all areas occupied in the recent fighting. (The principal zone of withdrawal is the Katsiru-Nyanzale-Kibirizi-Kayala sector to the north, with possibly some CNDP elements remaining in the south, and one CNDP forward position in the Rutshuru corridor.) Cunliffe said that some of the CNDP field commanders were showing "resentment" at the declaration of withdrawal and might cause difficulties. The situation in Kibirizi remained particularly unclear. North Kivu brigade had given free passage to CNDP trucks heading south with casualties and equipment. Cunliffe noted that a "massive" internal displacement issue remained. "Medecins Sans Frontieres," in a September 12 press release, estimated that as many as 250,000 people had been re-displaced or newly displaced in the recent fighting.

¶4. (SBU) Cunliffe said that he was in frequent meetings with the new FARDC Kivus commander, General Lukama (formerly only in charge of the anti-FDLR operation, now both anti-FDLR and Kivus), stressing to him that it was essential FARDC fully reciprocate the CNDP withdrawal. The MONUC military spokesman had earlier in the day, he said, given an Okapi interview underlining MONUC's "expectation" and "insistence" that FARDC reciprocate. Cunliffe said that FARDC's occupation of Ntamugenga and Mutabo in the Rutshuru buffer zone remained at the heart of the upsurge in fighting since late August. However, he said, he was not sanguine that FARDC would cooperate.

Philip Winter, deputy to Eastern Coordinator Alpha Sow, said that Sow had been meeting Chihez also with the object of assuring FARDC's return to original positions and an embrace of the Goma agreement as the only way forward.

¶15. (SBU) Cunliffe said that, if CNDP withdrew as promised, MONUC would attempt immediately to begin military-to-military disengagement talks. He hoped to be able to helicopter two CNDP military officers from Kimoka to the MONUC-controlled Goma air terminal on the afternoon of September 14. He had already broached this idea with General Lukama. If CNDP agreed, technical military talks on buffer zones (or, he said, more accurately "zones of separation"), would start in earnest, using maps being prepared by MONUC. No political officials from either CNDP or FARDC would be permitted in the talks, which would be restricted to military issues such as present military positions and range of weapons and not enter upon subjects such as property rights or humanitarian corridors. (Note: This focus is narrower than contemplated in the ad hoc working groups on disengagement that were to have begun work on August 28.) Cunliffe said that General Gaye was returning to Goma September 13 to refine these plans.

¶16. (SBU) Cunliffe said that MONUC now had confirmation of a serious confrontation September 11 between CNDP and FDLR, also involving the 31st battalion (recently trained by MONUC for combating FDLR) and PARECO. It occurred five kms. to the west of Kayala (from which North Kivu brigade had evicted CNDP). CNDP suffered "significant casualties," as well as 8-10 killed at Kirotshe by MONUC. Cunliffe speculated that this reverse may have been a factor in CNDP's unilateral declaration of withdrawal. He said that the second-in-command of the 31st battalion had been killed. FARDC's

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23rd battalion (also trained for action against FDLR) had been put in readiness, also to be used against CNDP.

¶17. (SBU) Van de Geer said that he would be meeting a CNDP team at Kimoka the next morning, with the object of seeking a political commitment from CNDP to return to the Joint Technical Commission and Goma/Amani process. The government at the highest levels in Kinshasa had urged him to meet the CNDP and see Nkunda if possible. He said he would urge CNDP to participate in the military-to-military talks on September 14 at the Goma air terminal. He would see Chihez and underline the vital importance of FARDC's reciprocity, despite the angry mood of the populace and the government's sensitivities about sovereignty. Van de Geer regretted that it had been necessary for the MONUC military to take action against CNDP, as he was certain that FARDC had provoked CNDP, but CNDP had far overreached and there had been no alternative. He hoped that this military action would have now opened diplomatic space.

GARVELINK